

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANTONIO ORTEGA,

No. C 12-6137 SI

Plaintiff,

**ORDER ADOPTING REPORT AND  
RECOMMENDATION GRANTING  
PLAINTIFF'S MOTION FOR DEFAULT  
JUDGMENT**

v.

GREEN CLEAN OF CALIFORNIA, INC.,

Defendant.

On April 19, 2013, Magistrate Judge Lloyd issued a report and recommendation (the "Report") in this case. The Report recommends granting default judgment in favor of plaintiff Antonio Ortega, who sued defendant Green Clean of California, Inc., a California corporation, to recover unpaid regular and overtime wages, as well as various statutory penalties. Although defendant was served with the complaint and summons, defendant failed to answer or otherwise respond. After the Clerk of the Court entered default, plaintiff moved for default judgment. Defendant was served with the motion for default judgment and did not file any response to the motion. Judge Lloyd recommends that default judgment be granted in the amount of \$12,899.82, which consists of the following: \$1,058.92 in unpaid regular and overtime wages; \$778.60 in liquidated damages under the Fair Labor Standards Act; \$650.00 in penalties for inaccurate wage stubs; \$4,204.80 in waiting time penalties; \$5,775 in attorneys fees; and \$432.50 in costs.

The Report issued on April 19, 2013. Pursuant to 28 U.S.C. § 636(b)(1), either party had fourteen days from service of the Report to file written objections. *See also* Fed. R. Civ. P. 72(b). The case was reassigned to the undersigned judge on April 22, 2013. As of May 7, 2013, neither party has

1 filed any objections to the Report.

2 The Court has reviewed the Report and the docket in this case. The Court agrees with Judge  
3 Lloyd's analysis and hereby ADOPTS Judge Lloyd's Report and Recommendation. The Court  
4 GRANTS plaintiff's motion for default judgment, and AWARDS plaintiff \$12,899.82.

5 This order resolves Docket Nos. 12 and 14.

6  
7 **IT IS SO ORDERED.**

8  
9 DATED: May 8, 2013



10 SUSAN ILLSTON  
United States District Judge